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10 *Co-Lead Counsel for Plaintiffs and
the Proposed Class*

11 [Additional Counsel on Signature Page]

12 **UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

13 THOMAS SPITZER, Individually and
14 on Behalf of All Others Similarly
15 Situated,

16 Plaintiff,

17 v.

18 ROBERT C. FLEXON, DARREN R.
19 JAMISON, JOHN J. JURIC, SCOTT W.
20 ROBINSON, and FREDERICK S.
21 HENCKEN III,

22 Defendants.

23 Case No. 2:23-cv-08659-HDV (MARx)

24 **CLASS ACTION**

25 **NOTICE OF UNOPPOSED MOTION FOR
ENTRY OF ORDER PRELIMINARILY
APPROVING SETTLEMENT AND
ESTABLISHING NOTICE PROCEDURES**

1 PLEASE TAKE NOTICE that Lead Plaintiff Michael Denisevich and Plaintiff Kevin Rudisill
2 (collectively, "Plaintiffs"),¹ individually and on behalf of all others similarly situated, will hereby move
3 this Court on June 5, 2025 at 10:00 a.m. before the Honorable Hernán D. Vera, United States District
4 Judge of the United States District Court for the Central District of California, First Street Courthouse,
5 350 W. 1st Street, Los Angeles, California 90012, Courtroom 5B, for an Order: (i) granting preliminary
6 approval of the proposed Settlement; (ii) granting conditional certification of the Settlement Class,
7 certifying Michael Denisevich and Kevin Rudisill as class representatives and appointing Co-Lead
8 Counsel as Class Counsel for purposes of the Settlement; (iii) granting approval of the form and manner
9 of giving notice of the proposed Settlement to Settlement Class Members; and (iv) setting a date for the
10 Settlement Hearing, deadlines for the mailing and publication of the Notice, the filing of Settlement
11 Class Member objections, the filing of Settlement Class Member opt-out notices, the filing of Plaintiffs'
12 motion for final approval of the Settlement, and the filing of Lead Counsel's application for attorneys'
13 fees, reimbursement of litigation expenses, and awards to Plaintiffs.
14

15 This motion is based upon the accompanying Memorandum of Law, the Joint Declaration of
16 Brenda Szydlo and Jonathan Stern, and the exhibits thereto, both filed simultaneously herewith, and
17 other such matters and argument as the Court may consider at the hearing on this motion.
18

19 Plaintiffs make this motion following the conference of counsel pursuant to Local Rule 7-3,
20 which took place on March 21, 2025, during which Defendants' counsel advised that Defendants do not
21 oppose this motion.
22

23 Dated: April 4, 2025

24 Respectfully submitted,
25

26 **POMERANTZ LLP**

27 /s/ Brenda Szydlo

28 Brenda Szydlo (admitted *Pro Hac Vice*)

1 All capitalized terms used herein have the meanings set forth and defined in the Stipulation and
2 Agreement of Settlement, dated April 4, 2025 (the "Stipulation").

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Additional Counsel to Lead Plaintiff

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CERTIFICATE OF SERVICE
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I hereby certify that on April 4, 2025, a copy of the foregoing was filed electronically. Notice of
4
this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties
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may access this filing through the Court's CM/ECF System.
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/s/ Brenda Szydlo
Brenda Szydlo
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